

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Cook Waterfowl Foundation, Inc.,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Wayne Stenehjem, in his official)	
capacity as Attorney General for the)	
State of North)	
)	Case No. 1:11-cv-040
Defendant.)	

Plaintiff initiated the above entitled action on , challenging the constitutionality of North Dakota's corporate farming law, codified at N.D.C.C. ch. 10-06.1. A scheduling conference is set for September 30, 2011, at 10:00 a.m.

In anticipation of the scheduling conference, the parties submitted a proposed scheduling and discovery plan (a copy of which has been attached to this order as an exhibit). Therein they advised the court that a constitutional challenge to the State's corporate farming law is presently pending before the Stutsman County District Court in Stenehjem v. National Audubon Society, Case No. 47-09-C-425. They request that this action be stayed until the Stutsman County District Court rules on substantive issues in Stenehjem v. National Audubon Society or April 12, 2012, whichever comes first.

The court agrees that a stay of the above-entitled action is prudent given the posture of the case pending before the Stutsman County District Court. The parties in that case have apparently filed motions for summary judgment. Accordingly, the above-entitled action is **ORDERED** stayed

pending further order from the court. The scheduling conference set for September 30, 2011, is cancelled. The parties are submit a status report to court by April 12, 2012. If the parties disagree on how to proceed and one of them wants to lift the stay, that party may file the appropriate motion.

Dated this 23rd day fo September, 2011.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court